IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE NINTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

-

WRIT PETITION NO.3721 of 1996

Between:

M. Vijaya Mohan S/o. Seshasayana Rao
R/o Narsaraopet, Guntur District.

..... PETITIONER

AND

1 The State of Andhra Pradesh, rep. by its Secretary to Government,
Health, Medical & Family Welfare Department, Secretariat,

Hyderabad.
2 The Authorisation Committee, rep. by its Chairman, Director of

Medical Education, Andhra Pradesh, Hyderabad.
3 Dr. Saharia, Renal Transplant Unit, Mahaveer Hospital & Research

Centre, A.C.Guards, Hyderabad.
4 Thota Raj Kumar S/o. Lakshmi Narayana Reddy
permanent R/o. Srirapuram, Vinukonda, Guntru District presently R/o.

Door No. 12-9-8, Prakash Nagar,
Narasaraopet, Guntur District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an order or direction, more in the nature of Writ of Mandamus, declaring the action of the 2nd respondent in rejecting the joint request made by the petitioner and the 4th respondent for transplantation of Kidney vide proceedings No. 114/MA.B/95,

dated 8-2-1996 as wholly, arbitrary, highly illegal, unjust, and unconstitutional being violative of Articles 14 and 21 of the Constitution of India, and contrary to the provisions of A.P Transplantation of Human Organs Act, 1995 (Act No. 24/1995) and consequently direct the 3rd respondent to conduct the Kidney Transplantation Operation by removing one Kidney from the 4th respondent and transplant the same to the petitioner.

Counsel for the Petitioner: MR.S.SARATH KUMAR

Counsel for the Respondent Nos.1 and 2: GP FOR MEDICAL, HEALTH & FAMI.WELFARE

Counsel for the Respondent Nos.3 and 4: None

The Court made the following:

ORDER:

Learned counsel for the petitioner submits that the subject matter of the writ petition has become infructuous.

Recording the said submission, the Writ Petition is dismissed as having become infructuous. No costs.

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(N.V. RAMANA, J)

Date: 09.11.2004

Nsr

To

1 The Secretary to Government,
Health, Medical & Family Welfare Department, State of Andhra

Pradesh, Secretariat, Hyderabad.
2 The Chairman, Director of Medical Education,

Authorisation Committee, Andhra Pradesh, Hyderabad.
3 Dr. Saharia, Renal Transplant Unit, Mahaveer Hospital & Research

Centre, A.C.Guards, Hyderabad.
4 Two CCs to GP for Medical, Health and Family Welfare, High Court of

A.P., Hyderabad (OUT)

5 Two CD copies.